IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 15TH MAY 2007 / 25TH VAISAKHA 1929

Bail Appl..No. 2806 of 2007

CRIME NO. 482/2005 OF POOYAPPALLY POLICE STATION

PETITIOENR/2ND ACCUSED

RATNAMMA, W/O.SIVADASAN,AJI MANDIRAM, AMBALAMKUNNU,ELAMAL VILLAGE, KOTTARAKKARA.

BY ADV. SRI.SAJU.S.A

RESPONDENTS/COMPLAINANT:

SATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2806 of 2007

DATED: 15-05-2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner who is the 2nd accused in Crime No. 482 of 2005 of Pooyappally Police Station for offences punishable under Sections 8(1) and 55(g) of the Abkari Act, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the magistrate concerned and seek regular bail. Accordingly, If the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed bearing in mind the decision in **Sukumari v. State of Kerala - 2001 (1) KLT 22.**

With the above observation this Application is disposed of .

V.RAMKUMAR, JUDGE.

ani